

UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

United States of America
v.

KERVIN DE JESUS RIVERA, dob XX/XX/1986

Case No. 22-m-663

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

Between the dates of 12/03/2021 and 01/05/2022 in the counties of Sheboygan and Manitowoc in the
Eastern District of Wisconsin, the defendant(s) violated:

Code Section

Offense Description

Ct. 1 - 21 U.S.C. Sections 841(a)(1)
and (b)(1)(B)Ct. 2 - 21 U.S.C. Sections 841(a)(1)
and (b)(1)(B)Ct. 3 - 21 U.S.C. Sections 841(a)(1)
and (b)(1)(B)Ct. 1 - on or about 12/03/2021 - distribution of 500 grams or more of cocaine,
a Schedule II controlled substance.Ct. 2 - on or about 12/10/2021 - distribution of 500 grams or more of cocaine,
a Schedule II controlled substance.Ct. 3 - on or about 01/05/2022 - distribution of 500 grams or more of cocaine,
a Schedule II controlled substance.

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.James Allen
Complainant's signature

DEA Special Agent James Allen

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/05/2022

City and state: Green Bay, Wisconsin





Honorable James R. Sickel
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT & ARREST WARRANT

Special Agent James Allen, being first duly sworn, states that:

Background

1. I am currently employed as a Special Agent with the Drug Enforcement Administration (DEA) Green Bay Resident Office and have been so employed since October of 2019. As a part of my current duties as a DEA agent, I investigate drug trafficking organizations (DTOs) and violations of federal narcotics laws, including offenses defined by Title 21, United States Code, Sections 841 and 846. I have received specialized training in the means and methods by which individuals conduct their illegal drug trafficking activities, as well as in the use of various investigative techniques used to uncover unlawful drug trafficking. I have also participated in multiple investigations involving illegal drug trafficking.

Basis for Information in Affidavit

2. The information contained in this affidavit is based upon my personal knowledge and investigation, and information supplied to me by other law enforcement officers from the DEA, Sheboygan County Sheriff's Department, and United States Postal Inspection Service ("USPIS"), all of whom I believe to be truthful and reliable. Based on my investigation and the information supplied to me by other law enforcement personnel, I have probable cause to believe the following regarding **KERVIN DE JESUS RIVERA (DOB: XX/XX/1986)**.

Facts Establishing Probable Cause

3. For the past several months, I have been investigating a DTO operating in the Green Bay Division of the Eastern District of Wisconsin. The investigation revealed that KERVIN DE JESUS RIVERA was sending multiple kilograms of cocaine to Sheboygan, Wisconsin and

Manitowoc, Wisconsin from Puerto Rico.

4. On December 1, 2021, USPIS searched a parcel sent from Puerto Rico with an intended destination of Sheboygan, Wisconsin, which is in the Eastern District of Wisconsin. The parcel was addressed to ADULT MALE 1. Upon searching the parcel, USPIS located two bricks of suspected cocaine with a gross total weight of approximately 2,351 grams (over two kilograms). The suspected cocaine tested positive for the presence of cocaine.

5. On December 3, 2021, acting in an undercover capacity as a United States Postal Service Letter Carrier, a USPIS Inspector conducted a controlled delivery of the parcel to the intended recipient, ADULT MALE 1. When ADULT MALE 1 retrieved the parcel, he was placed under arrest.

6. ADULT MALE 1 cooperated with law enforcement and admitted that the cocaine was shipped to him from KERVIN DE JESUS RIVERA. ADULT MALE 1 showed law enforcement multiple photographs of KERVIN DE JESUS RIVERA. Under the direction and surveillance of law enforcement officers, ADULT MALE 1 ordered more cocaine from KERVIN DE JESUS RIVERA. On December 10, 2021, another parcel was shipped from Puerto Rico to a residence in Sheboygan, Wisconsin. USPIS searched the parcel when it entered the mail stream in the Eastern District of Wisconsin and located four bricks of suspected cocaine with a combined approximate weight of 4,693 grams (over four kilograms). The suspected cocaine tested positive for the presence of cocaine.

7. On January 2, 2022, under the direction and surveillance of law enforcement, ADULT MALE 1 ordered additional cocaine from KERVIN DE JESUS RIVERA. On January 3, 2022, USPIS was alerted that a parcel entered the Postal Service Mail stream at a Post Office in

Barceloneta, Puerto Rico. The parcel was addressed to XXXX S 10th Street, Manitowoc, Wisconsin 54220, which is located in the Eastern District of Wisconsin. The parcel arrived in the mail stream of the Eastern District of Wisconsin on January 5, 2022 and was intercepted. USPIS completed the delivery to the intended address in Manitowoc, Wisconsin. Pursuant to a search warrant, USPIS searched the parcel and located approximately one kilogram of suspected cocaine, which subsequently tested positive for the presence of cocaine.

8. On February 11, 2022, ADULT MALE 1 agreed to conduct a recorded FaceTime call with KERVIN DE JESUS RIVERA. I am aware that FaceTime is a video chat application that allows users to communicate via video chat if the parties to the call allow access to their cameras on their communication devices. During the FaceTime call, I clearly observed and identified KERVIN DE JESUS RIVERA on the video chat. His face clearly matched the photographs ADULT MALE 1 previously showed me. ADULT MALE 1 and KERVIN DE JESUS RIVERA discussed the recent shipments of cocaine. KERVIN DE JESUS RIVERA also informed ADULT MALE 1 that he owed money for the cocaine.

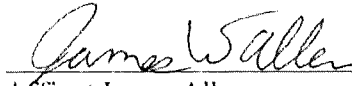
9. On March 25, 2022, DEA Special Agents conducted a traffic stop on KERVIN DE JESUS RIVERA in Puerto Rico. He provided a Puerto Rico Driver's License which identified him as KERVIN DE JESUS RIVERA. I reviewed photographs of KERVIN DE JESUS RIVERA that were sent to me by DEA Special Agents in Puerto Rico who conducted the traffic stop. I confirmed that the individual involved in the traffic stop, who identified himself as KERVIN DE JESUS RIVERA, was the same individual who was observed on the recorded FaceTime call with ADULT MALE 1 on February 11, 2022. I am also aware that ADULT MALE 1 identified the suspect as KERVIN DE JESUS RIVERA and that he had a close, personal relationship with him.

10. ADULT MALE 1 proved to be credible and reliable, as information he provided to law enforcement was against his penal interest and was corroborated using other investigative techniques. ADULT MALE 1 did not receive any promises of leniency in exchange for his cooperation.

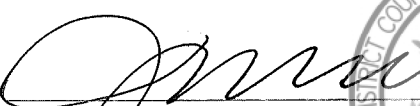
CONCLUSION

11. Based upon the foregoing information, it is probable to believe that **KERVIN DE JESUS RIVERA** distributed 500 grams or more of a mixture or substance containing a detectable amount of cocaine in the Eastern District of Wisconsin, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

8. Because this affidavit is offered for the limited purpose of supporting the criminal complaint and arrest warrant for KERVIN DE JESUS RIVERA, I have not set forth every fact known to me regarding this incident. Rather, I have included only those facts which I believe establish probable cause.


Affiant James Allen
Special Agent
Drug Enforcement Administration

Subscribed and sworn to before me
this 5th day of May, 2022.


HONORABLE JAMES R. SICKEL
U.S. MAGISTRATE JUDGE
My commission expires: _____

